

## **REMARKS**

The Final Office Action dated September 3, 2004, has been received and reviewed.

Claims 1-4, 7-12, 15-26, 30-32, 33, and 37 are currently pending in the above-referenced application. Of these, claims 5, 6, 13, 14, 19-22, 27-29, and 34-36 have been withdrawn from consideration as being drawn to a non-elected species of invention. Claims 1-4, 7-12, 18, 23-26, 33, and 37 stand rejected, while claims 15-17 and 30-32 have been objected to.

Reconsideration of the above-referenced application is respectfully requested.

### **Rejections Under 35 U.S.C. § 102(b)**

Claims 1-4, 7-12, 18, 23-26, 33, and 37 have been rejected under 35 U.S.C. § 102(b) for reciting subject matter which is purportedly anticipated by the description provided by the Precision Pitch Spacing System (PPSS) reference that Applicant cited in the above-referenced application and that is discussed in the Background section of the above-referenced application.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single reference which qualifies as prior art under 35 U.S.C. § 102. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As correctly noted in the outstanding Office Action, PPSS describes a saw assembly that includes a support spacer positionable along an arbor of a saw, a register spacer that is also positionable along the arbor, against the support spacer and, optionally, between a pair of support spacers. The saw element described in PPSS also includes a diamond blade, retention spacer, and compression ring that are positionable, in axial sequence, around the register spacer and the arbor, and between two support spacers.

Independent claim 1 of the above-referenced application recites a dicing saw blade retention assembly that includes a shaped flange, a retention element, a dicing saw blade, and at least one biasing element. The shaped flange of independent claim 1 includes both a substantially radially extending support member and a substantially axially extending spacer member. As proposed to be amended herein, independent claim 1 recites that the support

member and the spacer member comprise parts of a single structure. The retention element, dicing saw blade, and at least one biasing element are configured to be assembled on the spacer member of the shaped flange, with the dicing saw blade positionable between the support member of the shaped flange and the retention element. The at least one biasing element is positionable next to the retention element, on an opposite side thereof from the retention element.

In contrasting the subject matter described in PPSS with that recited in independent claim 1, it is evident that PPSS lacks any express or inherent description of a shaped flange which includes a substantially radially extending support member and a substantially axially extending spacer member that are parts of a single structure. Rather, in PPSS, the support spacer and the register spacer are separate from one another.

As PPSS does not expressly or inherently describe each and every element of independent claim 1, PPSS does not anticipate each and every element of independent claim 1, as would be required to maintain the 35 U.S.C. § 102(b) rejection of independent claim 1.

Each of claims 2-4 and 7-12 is allowable, among other reasons, for depending either directly or indirectly from claim 1, which is allowable.

Claim 2 is additionally allowable because PPSS neither expressly nor inherently describes a saw assembly that includes both a shaped flange with a substantially axially extending spacer member and an axial spacer adjacent thereto. Instead, the description of PPSS is limited to a register spacer that is configured to be positioned between two substantially planar support spacers.

Claim 4 is further allowable since PPSS does not expressly or inherently describe a single shaped flange, let alone two or more shaped flanges.

Independent claim 18, as proposed to be amended herein, is directed to a ganged dicing saw that includes, among other things, at least two shaped flanges, each of which comprises a single structure that includes “a support member that extends substantially radially and a spacer member that extends substantially axially . . .”

Again, rather than a “shaped flange” of the type recited in amended independent claim 18, the description of PPSS is limited to a saw element that includes support spacers and register spacers that are separate from one another.

Therefore, PPSS does not expressly or inherently describe or anticipate each and every element of independent claim 18. Accordingly, it is respectfully submitted that, under 35 U.S.C. § 102(b), independent claim 18 recites subject matter which is allowable over that described in PPSS.

Each of claims 23-26 is allowable, among other reasons, for depending either directly or indirectly from claim 18, which is allowable.

Independent claim 33 is drawn to a method for fixing distances between ganged saw blades. The method of independent claim 33, as proposed to be amended herein, includes, among other things, “assembling at least two shaped flanges onto a spindle of a ganged dicing saw, each shaped flange comprising a single structure including a spacer member that extends substantially axially relative to the spindle and a support member that extends substantially radially relative to the spindle . . .”

As PPSS does not include any express or inherent description that a shaped flange of the type recited in independent claim 33 may be assembled with a spindle of a ganged dicing saw, it is respectfully submitted that PPSS does not anticipate each and every element of independent claim 33.

Therefore, it is respectfully submitted that, under 35 U.S.C. § 102(b), the subject matter recited in independent claim 33 is allowable over that described in PPSS.

Claim 37 is allowable, among other reasons, for depending either directly or indirectly from claim 33, which is allowable.

#### **Allowable Subject Matter**

The indication that claims 15-17 and 30-32 recite allowable subject matter is noted with appreciation. Nonetheless, none of these claims has yet been amended to independent form, as the claims from which they depend are also believed to be allowable.

**Election of Species Requirement**

It is respectfully submitted that each of independent claims 1, 18, and 33 remains generic to all of the species of invention that were identified in the Election of Species Requirement in the above-referenced application. In view of the allowability of these claims, claims 5, 6, 13, 14, 19-22, 27-29, and 34-36, which have been withdrawn from consideration, should also be considered and allowed.

**Entry of Amendments**

It is respectfully requested that the proposed claim amendments be entered. The proposed amendments do not introduce new matter into the application, nor would they require an additional search. Moreover, it is respectfully submitted that, by addressing the claim rejections, the proposed claim amendments reduce the number of issues that remain for purposes of appeal.

In the event that a decision is made not to enter the proposed claim amendments, entry thereof upon the filing of a Notice of Appeal in the above-referenced application is respectfully requested.

**CONCLUSION**

It is respectfully submitted that each of claims 1-37 is allowable. An early notice of the allowability of each of these claims is respectfully solicited, as is an indication that the above-referenced application has been passed for issuance. If any issues preventing allowance of the above-referenced application remain which might be resolved by way of a telephone conference, the Office is kindly invited to contact the undersigned attorney.

Respectfully submitted,



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